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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,598	02/06/2004	Michael James Thomson	50037.212US01	8968
27488	7590	02/07/2007	EXAMINER	
MERCHANT & GOULD (MICROSOFT)			NGUYEN, LE V	
P.O. BOX 2903				
MINNEAPOLIS, MN 55402-0903			ART UNIT	PAPER NUMBER
			2174	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/773,598	Applicant(s) THOMSON ET AL.	
	Examiner Le Nguyen	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/22/05</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-9, 13-16 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Moss et al. ("Moss").

As per claim 19, Moss teaches a system for automatically displaying content of a window designed for a display having one of a portrait orientation and a landscape orientation on the display having the other of a landscape orientation and a portrait orientation and comprising means for determining a position of the window when the display orientation corresponds to one of a portrait orientation and a landscape orientation (fig. 1a), means for determining whether the window is fully displayed subsequent to the change in display orientation (col. 5, lines 5-17), means for adjusting at least one of a size and the position of the window when the window is not fully displayed subsequent to the change in display orientation and means for displaying the window within the display screen according to the at least one of an adjusted size and adjusted position when the display orientation corresponds to the other of a landscape orientation and a portrait orientation (Abstract; figs. 1a-3; col. 5, lines 12-23; *described is a display screen capable of flipping between portrait orientation and landscape*

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orientation including repositioning and resizing display windows in response to flipping between such orientations of the display screen, an example of which is shown in figs. 2 and 3 wherein a flip from the portrait orientation of fig. 2 results in resizing window 11 and repositioning window 10 as depicted in fig. 3).

Claims 1-3, in combination, are similar in scope to claim 19 and are therefore rejected under similar rationale.

As per claim 6, Moss teaches a system for automatically displaying content of a window designed for a display having one of a portrait orientation and a landscape orientation on the display having the other of a landscape orientation and a portrait orientation wherein adjusting at least one of a size and the position of the window further comprises adjusting at least one of the size and the position of the window such that a maximum portion of the window is visible on the display screen having the second orientation (fig. 10-11b; col. 6, line 59 through col. 7, line 50).

Claims 7-9, in combination, are similar in scope to claim 19 and are therefore rejected under similar rationale.

As per claim 13, Moss teaches a system for automatically displaying content of a window designed for a display having one of a portrait orientation and a landscape orientation on the display having the other of a landscape orientation and a portrait orientation and wherein the shell is an external component such that an original equipment manufacturer can customize design attributes associated with the shell (col. 7, line 67 through col. 8, line 10; col. 8, line 66 through col. 9, line 33).

Claims 14-16, in combination, are similar in scope to claim 19 and are therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 5, 10-12, 17, 18, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moss et al. ("Moss") in view of Screen Dumps of East ("East").

As per claim 20, although Moss teaches a system for automatically displaying content of a window designed for a display having one of a portrait orientation and a landscape orientation on the display having the other of a landscape orientation and a portrait orientation and comprising means for displaying a scroll bar to the window within the display screen having the other of a landscape orientation and a portrait orientation (figs. 2-3), Moss does not explicitly disclose adding a scroll bar to the window when the entire window is not fully displayed. East teaches adding a scroll bar to the window when the entire window is not fully displayed (figs. 2-3; *scrollbar* 250). It would have been obvious to an artisan at the time of the invention to incorporate the method of East with the method of the modified Moss so that users can view the rest of the menu, such as saved searches and tagged references, obscured by the resizing.

As per claim 21, although Moss teaches a system for automatically displaying content of a window designed for a display having one of a portrait orientation and a landscape orientation on the display having the other of a landscape orientation and a portrait orientation and comprising means for displaying a scroll bar to the window when the scrollbar is present in the window having one of a portrait orientation and a landscape orientation and when the entire window is fully displayed within the display screen having the other of a landscape orientation and a portrait orientation (figs. 2-3), Moss does not explicitly disclose removing a scroll bar from the window when the entire window is fully displayed within the display screen (figs. 3-4). It would have been obvious to an artisan at the time of the invention to incorporate the method of East with the method of the modified Moss in order to optimize viewing space, especially given that no part of the menu is obscured, therefore, a scroll bar is no longer necessary.

Claims 4, 10 and 17 are individually similar in scope to claim 20 and are therefore rejected under similar rationale.

Claims 5, 11 and 18 are individually similar in scope to claim 21 and are therefore rejected under similar rationale.

Claim 12 is similar in scope to claim 20 and is therefore rejected under similar rationale except for having adjustable boundaries of a viewing area on the display screen, which East also teaches (fig. 3; *via dragging operation of any of the boundaries depicted such as boundaries 210-230*).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kuromusha et al. (US 7,028,265 B2) teach modifying the placement, location, or size of windows relative to the screen/display.

Kato et al. (US 6,297,795 B1) teach a portable system having a small display screen that can switch between a portrait mode and a landscape mode.

Taylor et al. (US 2002/0196286 A1) teach a window manager resizing, re-positioning or otherwise modifying the selected windows as well as all other impacted elements or cells accordingly and automatically.

Inquires

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached at (571) 272-4063.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lvn
Patent Examiner
January 29, 2007

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100